

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DOMINIQUE ZAFIR CASEY,
Plaintiff,
v.
SGT. BROWN, et al.,
Defendants.

No. 1:23-cv-01068-JLT-SAB (PC)

ORDER DENYING PLAINTIFF’S MOTION
TO EXCLUDE CRIMINAL HISTORY AS
PREMATURE

(ECF No. 30)

Plaintiff is proceeding pro se and in forma pauperis in this civil rights action filed pursuant to 42 U.S.C. § 1983.

Currently before the Court is Plaintiff’s motion to exclude his criminal history, filed March 17, 2025.

Plaintiff “requests that everything about his criminal history and his other open case be removed from the depositions records and [not] available to the jury.” Plaintiff’s motion is premature. As the dispositive motion deadline has not expired, this case is not set for jury trial. If the case progresses to a jury trial, Plaintiff may at that time seek to exclude certain evidence made available to the jury. Nonetheless, unlike in a criminal trial, if Plaintiff chooses to testify, the truthfulness of his testimony may generally be attacked by evidence of a criminal conviction for a crime that is punishable by imprisonment for more than one year and for any crime proving

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1 a dishonest act or false statement. Fed. R. Evid. 609(a). Accordingly, Plaintiff's motion to
2 exclude his criminal history is DENIED as premature.

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4 IT IS SO ORDERED.

5 Dated: March 18, 2025



STANLEY A. BOONE
United States Magistrate Judge